

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**CHARLES J. SENIOR, NORMAN FAHY,
RONALD D. PHIPPS, RAYMOND W.
POSTMA, THOMAS G. HIRL and UNITED
STEELWORKERS OF AMERICA,
LOCAL 12004,**

Plaintiffs

v.

**NSTAR ELECTRIC AND GAS
CORPORATION and COMMONWEALTH
GAS COMPANY,**

Defendants.

Civil Action No. 04-10160-EFH

**JOINT MOTION TO CONTINUE DISCOVERY
AND OTHER CASE DEADLINES**

Plaintiffs Charles J. Senior, Norman Fahy, Ronald D. Phipps, Raymond W. Postma, Thomas G. Hirl and United Steelworkers of America, Local 12004 (collectively referred to as “Plaintiffs”), and Defendants NSTAR Electric and Gas Corporation (“NSTAR”) and Commonwealth Gas Company (collectively referred to as “Defendants”), jointly move that the deadline for completing discovery and filing dispositive motions be continued from November 1, 2004 to and including November 15, 2004. The grounds for this motion are as follows:

1. This is an action by Plaintiff retirees who were represented by Local 12004 of the United Steelworkers of America during their employment with NSTAR and its predecessors. The Plaintiffs challenge modifications to retiree health benefits implemented on or about April 1, 2003.
2. The parties are requesting this brief extension in order to coordinate the case schedule with the schedule in the related action of Louis Balestracci, et al. v. NSTAR Electric and Gas Corporation, Civil Action No. 04-11103-EFH. In Balestracci, management retirees of NSTAR and

its predecessors challenge modifications to retiree benefits implemented on April 1, 2003. The parties in Balestracci (who are represented by the same attorneys as in the present action) recently submitted a case scheduling plan pursuant to which discovery would close, and dispositive motions due, by November 15, 2004. In the interest of limiting the resources expended by both parties in these related matters, the parties propose that the deadlines set forth above be established.

WHEREFORE, the parties pray that this motion be allowed, and that the deadline for completing discovery and filing dispositive motions be continued to and including November 15, 2004.

Respectfully submitted,

CHARLES J. SENIOR, et al.,

By their Attorneys,

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Dated: October 8, 2004

Respectfully submitted,

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GAS COMPANY,

By their Attorneys,

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Dated: October 8, 2004